IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 11953 of 2004

Between:

Palanki Padmavathi, w/o Kailasnadh, Hindu,
R/o Kothapet, Guntur.

..... PETITIONER

AND

The Special Officer and Competent Authority,

Urban Land Ceiling, Arundalpet, Guntur.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or order or direction more particularly one in nature of Writ of Mandamus directing the Respondent to consider the petitioner representation dated 5-1-2004 in file ULC. No. 721/76 as per the instructions/guidelines issued by the Government of India as per letter No. 3/1/97 UCU(2), dated 21-5-97 and further declare that in action of the respondent in not considering the petitioner representation dated 5.1.2004 as illegal and arbitrary.

Counsel for the Petitioner : MR.RAJA REDDY KONETI

Counsel for the Respondent : GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

By this writ petition, the petitioner seeks a direction to the respondent-Special Officer and Competent Authority, Urban Land Ceiling, Guntur to consider and pass orders on the representation dated 5.1.2004 made by her for determination of her holding in the light of the guidelines issued by the Government of India, Ministry of Urban Affairs and Employment (Department of Urban Development), Nirman Bhavan, New Delhi in Lr. No.3/1/97 UCU (2), dated 21.5.1997.

The grievance of the petitioner is that without calling for her objections, the respondent passed order under Section 9 of Urban Land (Ceiling and Regulation) Act, 1976 declaring about 2000 Square metres of her land as surplus, for which the petitioner made a representation dated 25.7.2003 to the respondent for re-determination of her holding in terms of the guidelines issued by the Government of India, but the respondent has not considered her representation so far. Questioning the action of the respondent in not considering her representation, the present writ petition is filed.

Having heard the learned counsel for petitioner and having regard to the facts and circumstances of the case, and having regard to the fact that the representation said to have been filed by the petitioner is pending with the respondent, without going into the merits of the case, I deem it appropriate to dispose of the writ petition with the following directions:

If the representation dated 5.1.2004 of the petitioner is not yet disposed of, the respondent shall consider and dispose of the same in accordance with law and pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this Order. No costs.

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N.V. RAMANA, J

Dated : JULY 14, 2004.

YS/tvk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Special Officer and Competent Authority,

Urban Land Ceiling, Arundalpet, Guntur.

2. Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad (O.u.T)

3. Two CD copies.